

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- January 17, 1973

Appeal No. 11248 - Roy Herbert Jones, Appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, Appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the executive meeting of March 20, 1973.

ORDERED:

EFFECTIVE DATE OF ORDER

**JUN 12 1973**

That the application for a change of nonconforming use (retail grocery store) first floor, to an antique shop (retail sales) at 3428 O Street, N. W., lot 76, Square 1228, be CONDITIONALLY GRANTED.

FINDINGS OF FACT:

1. The property is located in an R-3 District.
2. The premises is on the corner of O Street and 35th Street and is improved by a two-story building.
3. The building was originally built in the early 1800's with a grocery store on the first floor and apartments on the second floor. The grocery store went out of business in 1970 and was subsequently opened as a health food store which lasted approximately one year. Today the first floor is vacant.
4. On January 17, 1973, applicant appeared before the Board to request that the nonconforming use--grocery store, C-1 use, be changed to an antique shop--retail sales, a C-2 use.
5. Mrs. Hinton of the Citizens Association of Georgetown appeared in support of the application.
6. Subsequent to the public hearing and within the 10-day period applicant submitted an amended application. In order that the structure retain a C-1 classification, applicant would operate an Office of Interior Design and consult on Antiques.
7. Applicant appeared at the public hearing in April 1973 to clarify this request.
8. Mrs. Hinton of the Citizens Association of Georgetown again appeared in support of the applicant.

9. Applicant testified that he intended to maintain the second floor as an apartment unit; operate the facility six days a week and employ one other person.

10. No opposition to the granting of this appeal was registered at the hearings and the file contains letters in support.

OPINION:

The Board is of the opinion that this application should be GRANTED as amended.

The building is very small and a decorator's studio is not expected to generate many customers.

Further, we are of the opinion that this change of C-1 non-conforming use will not adversely affect the intent, **purpose** or integrity of the zone plan as embodied in the Zoning Regulation and Map.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

BY:



ARTHUR B. HATTON  
Acting Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.

June 11, 1973